

**Notice of Allowability**

Application No.

09/868,689

Examiner

Joseph P. Hirl

Applicant(s)

NICHOLS ET AL.

Art Unit

2129

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to May 2, 2005.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☒ The drawings filed on 23 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

***Reasons for Allowance***

1. Claims allowed are 1-18.
2. The following is an examiner's statement of reasons for allowance:

The cited prior art taken alone or in combination fails to teach the claims invention of a goal based learning system utilizing a rule or example based expert training system to provide a cognitive education experience wherein distinctive marks or indicia establish a goal, examples are integrated into a presentation to provide support in achieving the goal, progress in pursuit of the goal is monitored with guidance feedback, such progress is independent of the activity of other students and such learning process is linked to a website of information.

The closest prior art (Brown, U.S. Patent 6,210,272) teaches a multi-player interactive electronic game for health education. Brown does not teach monitoring progress of a student toward the goal and providing feedback that further assists the student in accomplishing the goal, the progress being independent of an activity of another student using information websites. The art of Trudeau (U.S. Patent 5,980,447) teaches a system for implementing dependency recovery process. Trudeau further teaches the use of support groups, friends and fraternities in achievement of a goal, such actions not being independent of activities of other students. The art of Lee et al (U. S. Patent 5,788,508) teaches interactive computer aided natural learning. Lee teaches real-time communication between student workstation and teacher workstation allowing the teacher to be informed of the students' progress and activities as well as allowing the teacher to tailor instructional programs for each student. Lee teaches the

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learning process linked to a Local Area Network (LAN) but does not teach such linkage to the internet or Website. A Website is any machine on the internet that is running a Web Server to respond to requests from Web Browsers. In more common usage, a Website refers to individual sets of Web Pages that can be visited with Web Browsers. The combination of the arts of Lee and Trudeau can create an obvious extension of an individualized learning system with internet application but not Website information linkage since such internet connections with Website information linkage was novel and nonobvious at the time of the invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Correspondence Information***

3. Any inquiry concerning this information or related to the subject disclosure should be directed to the Examiner, Joseph P. Hirl, whose telephone number is (571) 272-3685. The Examiner can be reached on Monday – Thursday from 6:00 a.m. to 4:30 p.m.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Anthony Knight can be reached at (571) 272-3687.

Any response to this office action should be mailed to:

Commissioner of Patents and Trademarks,

Washington, D. C. 20231;

or faxed to:

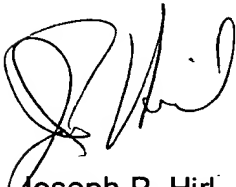
(703) 872-9306 (for formal communications intended for entry – prior to July 15, 2005);

(571) 273-8300 (for formal communications intended for entry – after July 15, 2005);

or faxed to:

(571) 273-3685 (for informal or draft communications with notation of “Proposed” or “Draft” for the desk of the Examiner).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on access to Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).



Joseph P. Hirl

July 7, 2005



Anthony Knight  
Supervisory Patent Examiner  
Group 3600